

Leicester
City Council

WARD: Braunstone Park and Rowley Fields

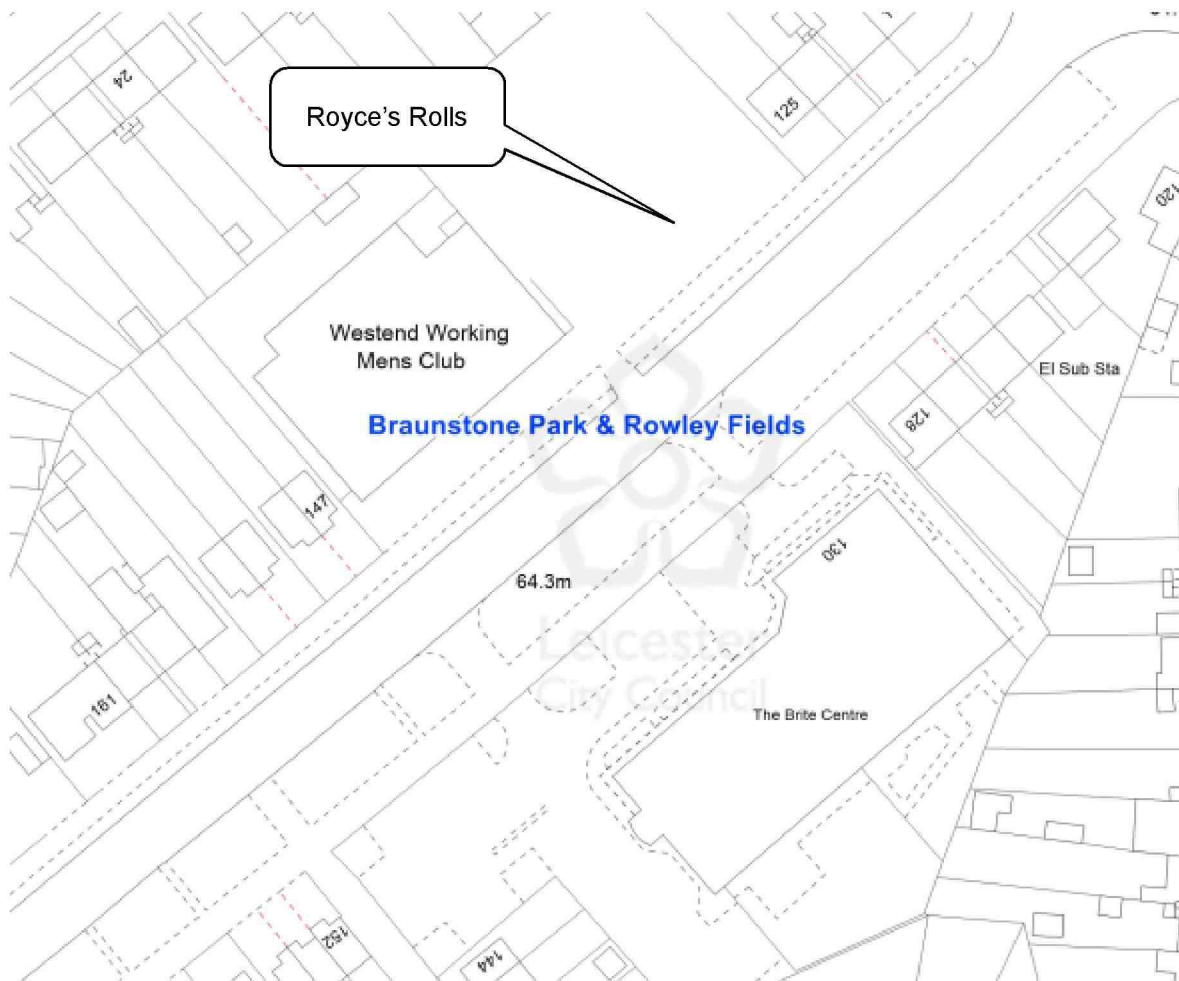
LICENSING AND ENFORCEMENT SUB COMMITTEE

30 July 2024

APPLICATION FOR RENEWAL OF STREET TRADING CONSENT
MR LOUIS RICHARDS
ROYCE'S ROLLS

Report of the Director of Neighbourhood and Environmental Services

1. Location



2. Purpose of the Report

2.1 To determine an application for the renewal of a street trading consent under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, for Royce's Rolls. The applicant is Mr Louis Richards.

3. Options for the Sub-Committee

3.1 The Sub-Committee may determine the application in one of the following ways:-

- (a) Grant the application for renewal, or
- (b) Refuse the application.

A licensing authority may attach such conditions as they consider reasonably necessary when granting or renewing a street trading consent. This may include conditions to prevent obstruction of the street or danger to persons using it, or nuisance or annoyance (whether to persons using the street or otherwise). The authority may at any time vary the conditions of a street trading consent.

The authority may include in a street trading consent permission for its holder to trade in a consent street

- a) from a stationary van, cart, barrow or other vehicle; or
- b) from a portable stall.

If the authority includes such a permission, it may make the consent subject to conditions

- a) as to where the holder of the street trading consent may trade by virtue of the permission, and
- b) as to the times between which or periods for which he may so trade.

3.2 A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

There is no right of appeal against a determination of the Licensing Authority in this instance, but as a matter of good practice Members should give reasons for their decision at the time it is announced.

4. Recommendation

4.1 The business has been trading with no issue since the original licence was granted on 10th July 2023. The objection from the Brite Centre refers to the café within the centre being under tender for a new tenant who would be taking over from August 2023 this was after the application for a street trading licence was received from the applicant.

4.2 Public notices were displayed by the enforcement team at the time the application was made inviting objections to the original application and no objections were received at that time. The enforcement team have confirmed that a notice was put on display on 23 May 2023 and that the notice was placed outside West End Club which is on the same side of the road as the permanent café. The picture of the notice is attached as part of Appendix A

4.3 It is recommended that the licence be renewed.

5. Report

- 5.1 The street trading consent for Royce's Rolls, located in the West End Working Mens Club, Braunstone Avenue, Leicester was initially granted in July 2023 after being determined at a Head of Service Hearing on 27 June 2023. A copy of the report considered by the Head of Service as well as the decision made is attached at Appendix A.
- 5.2 Mr Richards has applied for the renewal of the street trading consent for Royce's Rolls under schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. A copy of the application is attached at Appendix B.
- 5.3 Mr Richards would like to continue to sell full English breakfast, hot and cold cobs, tea, coffee and similar items from a mobile van from Monday to Saturday 08:00-14:00.
- 5.4 The Councils street trading policy says that there will be a general presumption in favour of granting consents for street trading by ice cream vans and by mobile operators who remain stationary at a particular location only long enough to serve customers at that location, provided that they conform to any code of practice issued by the City Council.

The policy provides for certain exceptions, including:

- a) The immediate vicinity of Leicester City Football Club and Leicester Tigers, for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs.
- b) Operators selling food who wish to trade on industrial estates, where no other adequate provision is provided.
- c) Limited period consents in respect of particular types of operations in conjunction with specific events in the City.

None of these exceptions are relevant to this application.

- 5.5 Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:
- Public nuisance
 - Crime and disorder
 - Road safety
 - Health and safety at schools and for their pupils
 - Likely demand for goods being sold
 - Availability of goods being sold in other fixed premises in the vicinity
 - Objections received from nearby residents, businesses and statutory agencies
- 5.6 Renewal applications are passed to the Police, Highways, Noise Control and Pollution Team, Licensing Enforcement and the Food Team. No representations were received from those departments.

- 5.7 Renewal applications are not subject to the requirement to place a public notice on display this is only on new applications. When the original application was received on 23 May 2023 a public notice was placed on display with an end date for objections of 6 June 2023. No objections were received from any other persons.
- 5.8 Two objections to the renewal application have been received from a nearby business.
- 5.9 The objectors are concerned that the trader was granted permission to trade opposite an existing café, located within the Brite Centre. Copies of the objections are attached at Appendix C1-C2.
- 5.10 On 4 September 2023 the Licensing Enforcement Team received information from the manager at the Brite Centre that the business was operating beyond its licensed times and they were selling items that they were not licensed to sell e.g. Jacket Potatoes.
- 5.11 The enforcement team visited the premises and spoke to the proprietor and confirmed that they had their licence on display and were complying with the licensed hours as well as only selling the items that they were permitted to sell.

6. Legal Implications (Including Human Rights Act)

A licensing decision is a determination of civil rights to which Article 6 Right to a fair trial principles apply. Article 1 of the First Protocol gives the right of peaceful enjoyment of possessions, which would include a street trading consent.

Schedule 4 paragraph 7 of the Local Government (Miscellaneous Provisions) Act 1982 details the procedure to be followed for the grant and renewal of street trading consents. The council and the holder of a street trading consent must comply with the requirements of this paragraph.

Schedule 4 paragraph 8 of the Local Government (Miscellaneous Provisions) Act 1982 enables the holder of a street trading consent to employ any other person to assist in their trading without a further consent being required.

Where a consent is surrendered or revoked, the council shall remit or refund as they consider appropriate the whole or a part of any fee paid for grant or renewal of the consent as per Schedule 4 paragraph 9(5) of the Local Government (Miscellaneous Provisions) Act 1982.

A person who engages in street trading without a street trading consent, or who makes a false statement in connection with an application for a consent may be subject to prosecution, and upon conviction may be liable for a fine of up to £1,000, pursuant to Schedule 4 paragraph 10 of the Local Government (Miscellaneous Provisions) Act 1982

John Moss, Solicitor

7. Crime and Disorder

One matter for consideration as part of the application process is the impact a successful application may have on crime and disorder.

8. Consultation

Leicestershire Police
Highways Department
Noise Control and Pollution Team
Licensing Enforcement
Food Team

9. Reason for Treating the Report as “Not for Publication”

None

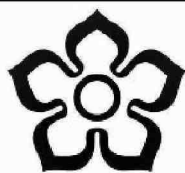
10. Officer to Contact

Lynsay Coupe
Licensing Officer
0116 454 3065

STREET TRADING CONSENT

LEISTC0583

LOCAL AUTHORITY



Leicester
City Council

Leicester City Council
Licensing
York House
90 Granby Street
Leicester
LE1 6FB
(0116) 4543030
licensing@leicester.gov.uk

NAME & ADDRESS OF HOLDER OF STREET TRADING CONSENT

Louis RICHARDS

PREMISE DETAILS (SEE ATTACHED PLAN)

Royce's Rolls

West End WMC Car Park, Braunstone Avenue, Leicester LE3 1LD

SPECIAL CONDITIONS

Business hours: Monday to Saturday - 08:00am to 02:00pm
Selling full English breakfast, hot and cold cobs, tea, coffee

LICENCE DETAILS

COMMENCES : 10 Jul 2023

EXPIRES : 09 Jul 2024

NOTES

1. This Consent is subject to the standard conditions prescribed by Leicester City Council and detailed on the attached sheet.
2. If the Consent holder changes their name or address they must, within 7 days, give written notice to Leicester City Council's Licensing section.

Valentina Cenic
Licensing Officer

Street Trading Consent

Consent number: LEISTC0583

Consent commences: 10 July, 2023

Consent expires: 9 July, 2024

RESPONSIBILITY OF CONSENT HOLDER

1. The Consent holder shall be responsible for compliance with the conditions of the consent at all times.

DISPLAY OF CONSENT

2. The Consent holder shall ensure that a copy of the consent is displayed in a prominent public position in the premises.

GENERAL

3. The consent is personal to the Consent holder and may not be transferred without application to Leicester City Council.
4. The Consent holder must ensure that:
 - (a) the trading vehicle is not parked on the footway.
 - (b) the trading vehicle is not parked within 15 metres of a junction.
 - (c) nothing is poured into drainage gullies (eg., fat or greasy water).
 - (d) the trading vehicle complies with all traffic regulation orders that are in force at any given time (including but not limited to yellow lines, 'School - keep clear' marking, pedestrian crossing markings). This includes temporary and permanent restrictions.
 - (e) the trading vehicle complies with the street's sensitivity restriction by not parking when the street is traffic sensitive.
 - (f) the trading vehicle vacates the site if roadworks are in progress or any other highway approved works or activity (eg, erection of a scaffold, street parade).
 - (g) relevant food law is complied with at all times.
5. The Licence Holder and/or any of their staff (either paid or unpaid) are prohibited from using any animals (the vertebrae family of animals includes all creatures which are mammals, birds, reptiles, amphibians and fish) as prizes in any form or means.

Referral to Head of Regulatory Services for determination

Application type	Street trading – new, fixed site
Applicant name	Mr Louis Richards
Applicant address	
Company name	Royce's Rolls
Location (if applicable)	West End WMC car park, Braunstone Avenue, Leicester, LE3 1LD
Date application received	20 th May 2023
Representations received	No
Name of representee(s)	N/a
Reason for referral	This matter may fall outside Leicester City Council's policy for granting a consent for Street Trading.
Background	<p>The application is for a fixed site</p> <p>The types of items that will be sold: <i>full English breakfast, hot and cold cobs, tea, coffee</i></p> <p>Trading days/hours: <i>Monday to Saturday - 08:00am to 02:00pm</i></p>
Options	<p>The application may be:</p> <ol style="list-style-type: none"> 1. Granted 2. Granted with additional conditions 3. Refused 4. Referred to the Licensing Enforcement Sub-Committee
Officer recommendation	In accordance with Leicester City Council's policy it is recommended that this application be REFUSED.
Attachments	<p>Application</p> <p>Comments from Highway</p> <p>Comments from Tourism, Culture (City centre)</p> <p>Comments from Festivals</p> <p>Letter of permission from the West End WMC</p> <p>Photos</p> <p>Street trading policy</p>

Valentina Cenic

From: [REDACTED]
Sent: 03 June 2023 10:45
To: Valentina Cenic
Subject: Re Request Of Permission

To whom this may concern,
I have been asked to email you regarding the cafe request that you have received for The West End Working Mens Club Car Park.

I give authority for this to be on the car park of the above club, I think this is a great idea and will also be a place that the community can meet and have a bite to eat and a drink.

Should you require further information please contact me on [REDACTED]

Regards
Mr Lee K Burchell
Secretary / President
The West End Working Mens Club
Braunstone Avenue
Leicester
LE31LD

Valentina Cenic

From: Licensing
Sent: 22 May 2023 09:19
To: Licensing
Subject: FW: Street trade licence. Case reference: ST516355857

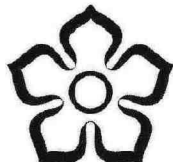
Follow Up Flag: Follow up
Flag Status: Flagged

Sale Details

Transaction ID	Description	Amount
219-71273	Street Trading Licences ST516355857	350.00
Total Amount		350.00

Payment Details

From: Crm-feedback <crm.feedback@leicester.gov.uk>
Sent: 20 May 2023 09:32
To: Licensing <Licensing@leicester.gov.uk>
Subject: Street trade licence. Case reference: ST516355857



Leicester
City Council

Street trade licence

Case raised by: [REDACTED] 2023-05-20 09:32:12 Product: Self



What type of trading consent are you applying for: Fixed site

I have read the policy and code of practice and wish to continue my application for street trading consent : I have read the policy and code of practice and wish to continue my application for street trading consent

Your details:

Title	First name	Surname	Phone number	Mobile number	Email address
Mr.	Louis	Richards			

Your address:

Flat	House number	Street	Town	County	Postcode

Please give the details of any food business that you have operated in the last 12 months: Veg An Love leicester

Leicester city council

Business name: Royce's Rolls

Business type: Catering

What goods do you intend to sell?: Cafe food

Is the business address the same as your contact address? : Yes

Please explain how your business may impact on public nuisance:: I believe this will only benefit the public by giving them a space to go and socialise, I am offering this space too to local businesses/charities etc to run well-being workshops/ support groups etc after business hours

Please explain how your business may impact on crime and disorder:: I think this business will deter crime away, it will give the public somewhere to go and will help people out with support groups potentially being run from here too after business hours

Please explain how your business may impact on road safety: : The business will be situated in a club car park away from the road

Please explain how your business may impact on the health and safety at schools and for their pupils:: Will not interfere with schools as opening/ closing times will be when children are already in school

Please explain the likely demand for the goods that you intend to sell:: There is no where around the area that sells cafe food to the public, I live in the area and have to travel to use something like this

Are the goods that you intend to sell already available in other fixed premises nearby? If so, please give details: :
Nothing nearby that does the same

Please give reasons why your application should be granted as an exception to the council's general policy on street trading: We intend to situate a big red bus that has been turned into a cafe on to the west end club car park to sell cafe food to the public. We have already spoken to the owner of the west end wmc who agrees this is a good

idea. The bus used to be situated on leicesters abbey park and was used as a cafe. I think this would bring only good to the local community giving people somewhere to go and to sit and eat. There is nothing like this anywhere in our local area. The bus can be used after business hours by local groups if required to use for community worships

How many months of trading consent do you wish to apply for? : 12 months street trading consent

What date(s) do you wish to trade?: 31st July or as soon as possible after this date

I understand and agree to the declaration: I understand and agree to the declaration

Date:: 20 05 23

Valentina Cenic

From: Chris Hackett
Sent: 24 May 2023 10:33
To: Valentina Cenic; food; highway-management; noiseteam; Paru N Dave; Licensing; Robin Marston; Sarah Harrison (City Centre); LicensingEnforcement
Subject: RE: STREET TRADING APPL FIXED SITE ROYCE'S ROLLS

No objections from Festivals

From: Valentina Cenic <Valentina.Cenic@leicester.gov.uk>
Sent: 24 May 2023 10:26
To: Chris Hackett <Chris.Hackett@leicester.gov.uk>; food <food@leicester.gov.uk>; highway-management <highway.management@leicester.gov.uk>; noiseteam <noiseteam@leicester.gov.uk>; Paru N Dave <ParuN.Dave@leicester.gov.uk>; Licensing <licensing@leicestershire.pnn.police.uk>; Robin Marston <Robin.Marston@leicester.gov.uk>; Sarah Harrison (City Centre) <Sarah.M.Harrison@leicester.gov.uk>; LicensingEnforcement <LicensingEnforcement@leicester.gov.uk>
Subject: FW: STREET TRADING APPL FIXED SITE ROYCE'S ROLLS

Good morning,

Further to the above application – please see attached a photo of the bus.

Regards



Valentina Cenic
Licensing Officer
Licensing Authority

Phone: 0116 4543030

Email: valentina.cenic@leicester.gov.uk

Web: www.leicester.gov.uk/licensing

Queen Elizabeth II
1926 - 2022



If you have made an application or sent us an email and have received an automatic acknowledgment please do not try and call licensing – we will respond to you as soon as we are able.

Applications and emails are dealt with in strict date order.

From: Valentina Cenic

Sent: 23 May 2023 14:59

To: Chris Hackett <Chris.Hackett@leicester.gov.uk>; food <food@leicester.gov.uk>; highway-management <highway.management@leicester.gov.uk>; noiseteam <noiseteam@leicester.gov.uk>; Paru N Dave <ParuN.Dave@leicester.gov.uk>; Police <licensing@leicestershire.pnn.police.uk>; Robin Marston <Robin.Marston@leicester.gov.uk>; Sarah Harrison (City Centre) <Sarah.M.Harrison@leicester.gov.uk>

Subject: STREET TRADING APPL FIXED SITE ROYCE'S ROLLS

Good afternoon,

Please find attached the above application for Street trading.

It is a fixed site, location is West End WMC Car Park, Braunstone Avenue (photo attached).

Business hours: Monday – Saturday 08:00am to 02:00pm

Selling full English breakfast, hot/cold cobs, tea, coffee ...

The representation end date is 6th June 2023.

Kind regards



Valentina Cenic
Licensing Officer
Licensing Authority

Phone: 0116 4543030

Email: valentina.cenic@leicester.gov.uk

Web: www.leicester.gov.uk/licensing

Queen Elizabeth II
1926 - 2022



If you have made an application or sent us an email and have received an automatic acknowledgment please do not try and call licensing – we will respond to you as soon as we are able.

Applications and emails are dealt with in strict date order.

To Licensing

Street Trading Consent Application Highway Management Consultation Response

Street: BRAUNSTONE AVENUE

Applicants Name: LOUIS RICHARDS

In respect of this application for street trading consent, from the information we have received our response is:

We have no specific objection to this application but would require full compliance with all of the standards conditions listed below.

- AREA BELONGS TO PROPERTY, PERMISSION SHOULD BE SOUGHT FROM THEM.

Name: S.HOPE

Date: 24/05/2023

N.B. If consent is granted action may still be taken at a later date under the Highways Act 1980 in respect of obstruction of the highway.

Standards Conditions

Do not park on footways.

Do not park within 15 metres of a junction.

Do not pour anything into drainage gullies e.g. fat or greasy water.

Comply with all Traffic Regulation Orders restrictions e.g. yellow lines, school keep clear markings, pedestrian crossing markings.

Comply with any future Traffic Regulation Order whether temporary or permanent.

Comply with the streets traffic sensitivity restriction by not parking when the street is traffic sensitive.

Vacate the site if roadworks are in progress or any other highway approved works or activity e.g. erection of scaffold or a parade.



Valentina Cenic

From: Sarah Harrison (City Centre)
Sent: 23 May 2023 16:09
To: Valentina Cenic; Chris Hackett; food; highway-management; noiseteam; Paru N Dave; Licensing; Robin Marston
Subject: RE: STREET TRADING APPL FIXED SITE ROYCE'S ROLLS

Dear Valentina

No objection from city centre as outside of the area

Kind regards

Sarah

Sarah Harrison
City Centre Director
Leicester City Council
City Hall
115 Charles Street
Leicester
LE1 1FZ

DD: 0116 454 2481


From: Valentina Cenic <Valentina.Cenic@leicester.gov.uk>
Sent: 23 May 2023 14:59
To: Chris Hackett <Chris.Hackett@leicester.gov.uk>; food <food@leicester.gov.uk>; highway-management <highway.management@leicester.gov.uk>; noiseteam <noiseteam@leicester.gov.uk>; Paru N Dave <ParuN.Dave@leicester.gov.uk>; Licensing <licensing@leicestershire.pnn.police.uk>; Robin Marston <Robin.Marston@leicester.gov.uk>; Sarah Harrison (City Centre) <Sarah.M.Harrison@leicester.gov.uk>
Subject: STREET TRADING APPL FIXED SITE ROYCE'S ROLLS

Good afternoon,

Please find attached the above application for Street trading.

It is a fixed site, location is West End WMC Car Park, Braunstone Avenue (photo attached).

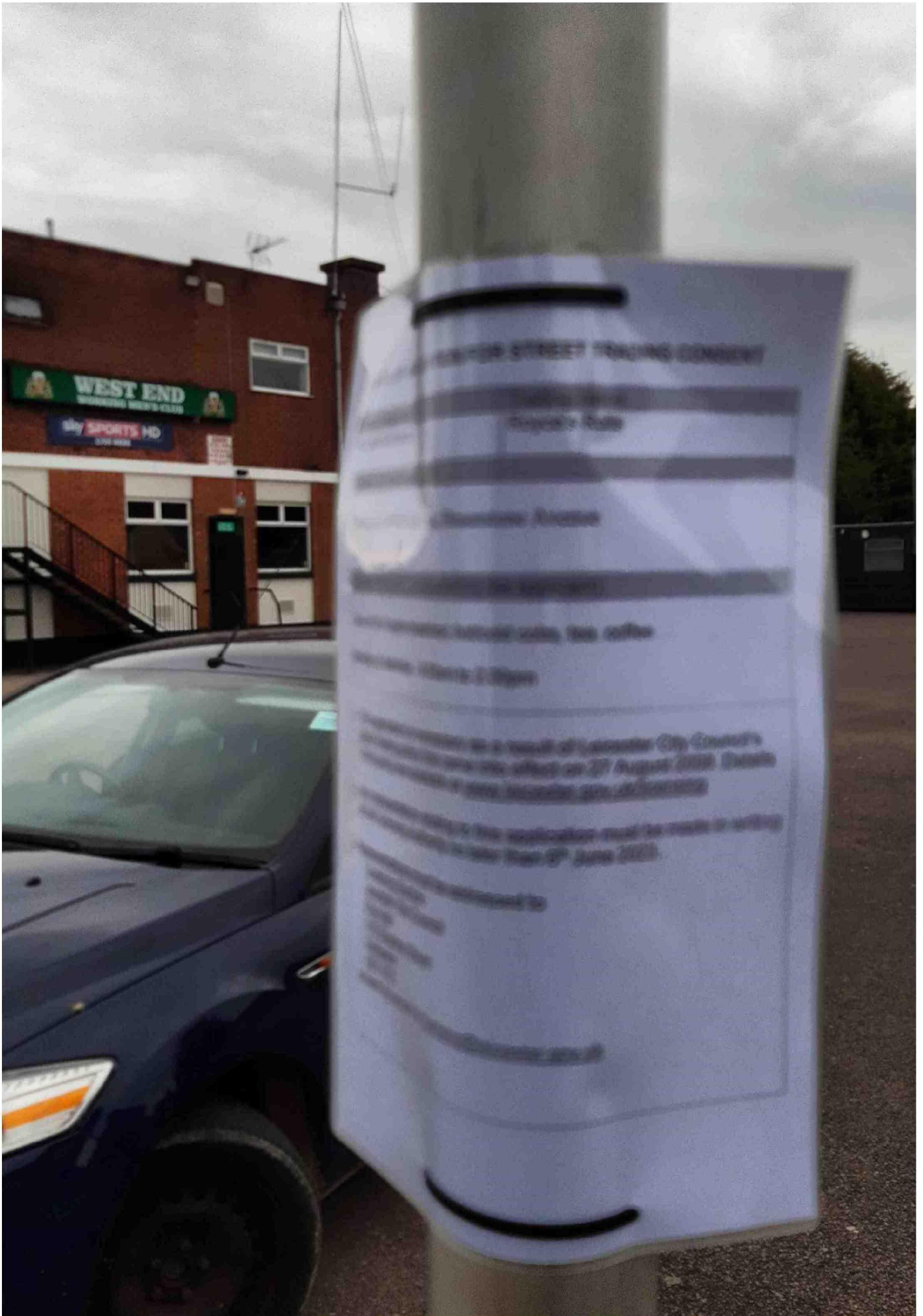
Business hours: Monday – Saturday 08:00am to 02:00pm

Selling full English breakfast, hot/cold cobs, tea, coffee ...

The representation end date is 6th June 2023.

Kind regards





HIGH STREET TRADING CONSENT

Name of Applicant
Company Name

Business Name

Trading Hours

Trading Hours (if different)

Trading Hours (if different)

This consent is a result of Lancaster City Council's
decision on the effect on 27 August 2020. Details
of the consent are available on the council's website.

This consent is a condition of the licence and is subject to the
terms and conditions of the licence. It is valid from 1st June 2020.

For further information

Street Trading Application Determination

Date of Hearing:	27/06/2023
Name of Applicant/Business:	Mr Louis RICHARDS Royce's Rolls
Application:	Fixed Site New Street Trading Application

Present at Hearing:
Rachel Hall - Chief Licensing Officer Tj Mavani – Licensing Team Manager (Enforcement) Choose Reporting Officer Louis Richards Hayley Richards Louise Bolton

Hearing Notes:
<p>Introductions and Hearing Process explained to all parties present. Licensing Manager read out the report to all parties.</p> <p>The applicant explained that this would be a family business and that they lived locally. There is nothing like this in the area and the intention was to provide space for support groups and to offer other services to the community. The business would operate on the car park of the West End Working Men's Club in a double decker bus, which would be unique.</p> <p>The bus would have an electric hook up to the club premises and toilet facilities for staff and customers would also be in the club. There are 35 seats upstairs in the bus, with the lower deck being taken over by the kitchen and serving hatch. Customers would either be served upstairs or through the hatch. There were also two bench seats (for 4 people) that could be used outside, but without a table.</p> <p>A waste contract was not in place but would be organised if consent is granted.</p> <p>There are three schools nearby – Folville and Imperial (primary), and Fullhurst (secondary). Trading would begin at 9am on school days and would finish by 2pm every day, as the focus would be on breakfasts. Notwithstanding this, the applicant said he hoped to form a link with the local schools and invite them to come on organised visits.</p> <p>Customers were expected to come from locals, including customers of the club, but it was hoped that people from further afield would travel to the venue too. There was ample parking on the WMC car park.</p> <p>Items to be sold would be as per the application, but the applicant agreed to provide a sample menu to give more detailed information.</p> <p>It was noted that permission had been obtained from the WMC to operate on the site, wholly away from the public highway. No objection had been received from consultees or local residents or businesses.</p>

Policy & Guidance:

Legislation, Policy & Guidance available for reference regarding this decision. Only summary detailed below.

Leicester City Council's Street Trading Policy (in effect from 8 July 2009) has a general presumption against granting street trading consents, particularly in the vicinity of schools (s.3). Limited period consents may be granted in respect of particular types of operations in conjunction with specific events in the City (s.8). Applications for consents will be considered and each case will be decided on its own merits (s.9).

In making a determination the Head of Regulatory Services is required to consider the following factors:

- Public nuisance
- Crime and disorder
- Road safety
- Health & safety of school pupils
- Demand for the goods
- Availability of other 'fixed premises' providers of the goods.

Decision *(This content will be directly input into the decision letter):*

DECISION:

The decision is to GRANT the Street Trading Application.

REASONS:

The council's general policy is not to grant street trading consent, particularly in the vicinity of a school. However, the policy is not absolute and does allow discretion in exceptional circumstances.

I am required to consider several factors, as follows:

- Public nuisance – no concerns
- Crime and disorder – no concerns
- Road safety – no concerns
- Health & safety of school pupils – minor concerns, although I note the applicant would not trade before or after the end of the school day.
- Demand for the goods – uncertain but no concerns
- Availability of other 'fixed premises' providers of the goods – no concerns.

The application is to provide a facility in an area that apparently has nothing of this kind at present. It is not on the public highway and the trading hours are such that they are unlikely to cause issues in the area.

The types of food and beverage to be granted within this permission includes Breakfasts, Hot & Cold Cobs/Sandwiches, Hot & Cold Drinks, Shakes & ice creams. Any change to these general items, permission must be requested from the Licensing Authority.

Due to my consideration of the exceptional circumstances I am prepared to depart from the council's policy.



Rachel Hall - Chief Licensing Officer
28/06/2023

Appendix B

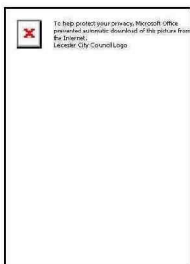
From: Licensing
Sent: 18 June 2024 15:51
To: Licensing
Subject: renewal FW: Street trade licence. Case reference: ST623883326
Attachments: Case PDF.pdf

Total Amount 180.00

Payment Details

Unique Tran ID
ST623883326
Payment Reference
219-87688
Payment Service Provider Id
CNWHG3MVGNMF
Email Address:
[REDACTED]

From: Crm-feedback <crm.feedback@leicester.gov.uk>
Sent: Tuesday, June 18, 2024 3:35 PM
To: Licensing <Licensing@leicester.gov.uk>
Subject: Street trade licence. Case reference: ST623883326



Street trade licence

Case raised by: [REDACTED] 2024-06-18 14:34:44 Product: Self

What type of trading consent are you applying for: Fixed site

I have read the policy and code of practice and wish to continue my application for street trading consent : I have read the policy and code of practice and wish to continue my application for street trading consent

Your details:

Title	First name	Surname	Phone number	Mobile number	Email address
Mr.	Louis	Richards			

Your address:

Flat	House number	Street	Town	County	Postcode

Business name: : Royce's Rolls

Business type:: Cafe

Location: Braunstone avenue Leicester

Existing Consent Number: LEISTC583X

Do you intend to continue trading as specified on your original application / consent?: Yes

When does your current street trading consent expire? : 2024-07-09

Please give reasons why your renewal application should be granted as an exception to the council's general policy on street trading: : Our place has become a real part of the community people from all over come to visit even just for a chat
We have bbc radio leicester doing their show live from the bus in a few month's aswell hosting the leicesters make a difference award winners

How many months of trading consent do you wish to apply for? : 12 months street trading consent

Your application fee (not refundable):: £180

Total to pay now:: £180

I understand and agree to the declaration: I understand and agree to the declaration

Date:: 2024-06-18

Appendix C1

From: [REDACTED]
Sent: Saturday, July 6, 2024 5:23 PM
To: Lorraine Moore <Lorraine.Moore@leicester.gov.uk>
Subject: Royces Rolls Cafe (Red Bus, Westend working men's club)

Hi Lorraine,

As per our previous conversations to submit something in writing by 7th July, in regards to the renewal of licence for RR.

I have also forwarded on to yourself a email from EL Café, raising their concerns, which I hope can be looked at in regards to the renewal of the licence for RR.

My concerns,

Mon 12th July 2023, came into work as normal, saw a red double decker bus on the forecourt of the Westend Men's working social club. At that point I had no idea what this was to entail, whether it was just a dis-used bus or it had broken down. Later that same day, someone came in to use the centre's facilities, who then told me they were hoping to run a café operation from the bus, but was waiting on licencing to give permission.. I explained we had a café on site, which had gone back out to tender and we had in place a new tenant, who was taking this on from Aug 2023. Nothing further was said (but on the same day, I got in touch with licensing to find out what was going on, and was told the licence had been granted that same day for a year – nothing I could do about this, but I could oppose the following year).

- I was told planning notices had been put up around the centre and surrounding areas? At no point, was there any planning permission posted or if this did happen, they were taken down, so no one could object. I was not given the opportunity to oppose this application, nothing was posted to the centre and no notices were located on any of the lamp post directly outside the centre.

The Brite centre is both a library and community centre, which operates LCC services to the residents and public. The centre café is a social enterprise for anyone who wishes to start up a café provision – this is integral to the services we provide to the community.

We are also a Warm Spaces and keep it Safe site, for people with mental health, hard to reach people, people fleeing domestic violence, social exclusion – the café was to offer an area for people to come together and not feel isolated and can just talk to someone.

I feel I have not been able to achieve this – EL Café, is constantly battling with duplication of same menus, or undercutting of prices from RR – I thought the reason RR was granted a licence was not to duplicate the services provided by the centre cafe (I was told RR was offering a different range of food, this should not have an impact on what the centre café was offering to its patrons).

From the time the Brite was constructed it has always had a full onsite café in operation. The last tenant had given notice and the centre cafe was back out to tender for anyone in the community to come forward to put in a bid (this was done through the property shop). EL Café, met with me and I went through the logistics and what was required and we agreed upon a date to start Aug 2023. If I had known licencing was granting a licence to another food provider on the same street, directly across from the centre, I would have informed EL Café of this and then it would have been their decision as to whether they signed the licence /tenancy agreement or not. I feel like I have blindsided EL Café into a tenancy agreement, through no fault of their own or mine and they could have procured other catering establishments without the fear of constant daily competition, but this is a loss opportunity for them now to pursue.

- Port a loos – located on the Westend Men's Social club – is this for the users of RR establishment? The centre is constantly getting visitors from RR using the centre's facilities due to the fact this facility is not offered or provided by RR for its patrons.
- Residents have complained due to young people walking by their properties to go to RR and knocking over their wheely bins, leaving a trail of waste.
- Residents are not happy with the bus sited where it is, but scared to oppose this and the fear of reprisals they would get from the young people who use RR.
- There are some concerns around potential parking, this raises some concerns, especially with the big LCC lorries, or private lorries – there are risks to young people walking across the car park to RR.

Was told that reason behind RR, given a licence, was there was no other catering/cafe establishments in the Braunstone area, for the people of Braunstone. I would have thought licencing would have done their due diligence and checked out what was in the area, in the way of café/catering establishments before granting a licence – cause this is a duplication of services. You would not grant two burger shops on the same street both a licence, due to the same service needs and this is what the café is having to contend with on a daily basis in regards to RR.

Please can you acknowledge receipt of this email.

Thanks

Service Delivery Manager
Brite Centre & Fosse NC
130 Braunstone Avenue
Leicester
LE3 1LE

Appendix C2

From: Lorraine Moore
Sent: 06 July 2024 16:51
To: Lynsay Coupe
Subject: FW: Licence Objections

From: [REDACTED]
Sent: Saturday, July 6, 2024 2:30 PM
To: [REDACTED]
Subject: Licence Objections

El Cafe.
The Brite Centre
130 Braunstone Ave
Leicester.
LE3 1LE

5th July 2024

Dear

We would like to register our objections to the renewal of the trading licence for the Cafe (Bus) known as "Royces Rolls" sited on the West End Working Men's Club car park.

We currently have our business "El Cafe" within the "Brite Centre" directly opposite the car park where the bus is sited. Our initial approaches to the Brite Centre involved a face to face meeting in the Brite Centre with the manager, Elaine Selton, where there was no mention of there being a planning application pending. We now understand that this may have been due to the proprietors of "Royces Rolls" removing the notifications from the area as they were being placed, not only massively unfair but preventing any interested party from objecting. This also would have had a lead to a decision that would have meant that we would not have taken the lease and, would have accepted an alternative site that we were interested in.

The buses continued trading has had a huge adverse effect on my business. In an area with no other retail pull, it beggars belief that the initial planning was granted and allowed to be placed directly opposite a council facility with a public Cafe inside that's rented out.... too me!

I understand that the licence granted to them limits the fare that they can offer, yet we are constantly bombarded with replications of our menu.

I am restricted with on site advertising, understandably. Yet the Bus Cafe has large signage against the public footpath, which I believe contravenes planning regulations.

The local area has, within a 15- 20 minute walk in excess of 15 food establishments, 4 of which are well established Cafes offering comparative menus. All of which we accepted when conducting our due diligence prior to signing a lease.

To establish a business in the Brite Centre was always going to be challenging, especially with the previous tenants reputation however, it was certainly one that should have been advantageous and achievable in a stand alone site. Currently this is not the case.

I fear we will be unable to continue in our current state and site should a licence be renewed and urge you to take these objections into consideration. We would also ask that our identity be not revealed publicly as reprisals are feared.

Your sincerely

A black rectangular box used to redact the signature of the sender.



Street Trading Policy

Area of Application

1. The policy will apply to all street trading carried out within the City boundary.
2. Any street trading carried out within the City Boundary without a specific consent is illegal.

General Policy

3. There will be a general presumption against street trading, particularly in the vicinity of schools. For the purposes of this policy, a location is 'in the vicinity' of a school if it is situated such that pupils may be encouraged to walk to it during a break from school, or immediately before or after school.
4. There will be a general presumption in favour of granting consents for street trading by mobile ice cream vans, and by other operators who remain stationary at a particular location only long enough to serve customers at that location, provided that they conform to any code of practice issued by the City Council. Codes of practice may include requirements relating to goods to be sold, period of time sales take place at a particular location, times of the day during which sales may take place, and the sounding of chimes and calls.
5. Applications from mobile operators other than ice cream traders will usually be referred to the Licensing Committee or the Head of Regulatory Services¹ for a decision.

Exceptions to General Policy in relation to static traders

5. It is unlikely that exceptions will be granted for locations that are in the vicinity of a school, from an hour before the start of the school day until an hour after the end of the school day.
6. Street trading consents may be granted in the immediate vicinity of the Leicester City Football ground and the Leicester Football Club ground for the purpose of the sale of favours and materials associated with the football clubs that are organised and controlled by those clubs. Any such consent would be restricted to particular times before, during and after an event at the ground.

¹ Amended June 2015 following change to constitution

7. Street trading consents may be granted to operators selling food who wish to trade on industrial estates, where no other adequate fixed provision is provided.
8. Limited period consents may be granted in respect of particular types of operations in conjunction with specific events in the City. Applicants for limited period consents will need to liaise with the Council's Festivals Unit before applying for street trading consent, as the only limited period consents that will be granted are those that are organised in conjunction with a significant event in the city.
9. Other applications for consents will be considered and each case will be decided on its own merits. The following matters will be taken into account:
 - Public nuisance
 - Crime and disorder
 - Road safety
 - Health and safety at schools and for their pupils
 - Likely demand for goods being sold
 - Availability of goods being sold in other fixed premises in the vicinity
 - Objections received from nearby residents, businesses and statutory agenciesIf a licence is granted, conditions may be added to ensure that these factors continue to be addressed by licence holders.



Code of Practice for Mobile Street Traders

This Code of Practice applies to ice cream vans and mobile traders granted a street trading consent. Failure to comply with the Code of Practice may result in prosecution and/or the consent being revoked. Any reference to an ice cream van means a vehicle adapted for the sale of ice cream and which only sells ice cream, cold soft drinks and frozen lollipops.

Mode of Operation

Ice cream vans must:

- Move from position to position remaining stationary for no more than 5 minutes to initially attract customers and thereafter only long enough to serve customers present.
- Ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
- Not stop within 100 metres of school grounds during the school day unless allowed to do so by a specific consent.
- Ensure that all conditions on the street trading consent are adhered to.
- Not trade within the inner ring road unless allowed to do so by a specific consent.

Mobile operators other than ice cream vans must:

- Move from position to position remaining stationary for no more than 5 minutes to initially attract customers and thereafter only long enough to serve customers present.
- Ensure that any stopping position does not infringe any parking or traffic requirements or cause obstruction of the highway, and does not present any dangers to other road users or pedestrians.
- Not stop in any 400 metre section of any street more than once in every two hours.
- Not stop within 400 metres of school grounds from an hour before the start of the school day until an hour after the end of the school day.
- Ensure that all conditions on the street trading consent are adhered to.

Sounding of Chimes (Based on the National Code of Practice)

Chimes and other audible signals should not be sounded:

- For longer than 4 seconds at a time – an automatic cut out should be used.
- When the vehicle is stationary.
- Except on approach to a selling point.

- When in sight of another mobile trader.
- Louder than 80 dB(A) at 7.5m.
- Before 12:00 or after 19:00 hours.

Fees for street trading applications

Type of application	Application Fee from 19 September 2018	Consent Fee from 19 September 2018
12 month street trading consent for static pitch	£350	£1650
Renewal of an existing 12 month street trading consent for static pitch	£180	£1650
12 month street trading consent for static pitch associated with LCFC / Tigers	£350	£150
Renewal of an existing 12 month street trading consent for static pitch associated with LCFC / Tigers	£180	£150
3 month street trading consent for static pitch	£350	£350
Renewal of an existing 3 month street trading consent for static pitch	£180	£350
Limited period consent for static pitch (in conjunction with specific events in the city)	£53 (per day)	

Type of application	Application Fee from 19 September 2018	Consent Fee from 19 September 2018
12 month street trading consent for mobile operators who move from place to place	£350	Year 1 - £50 Year 2 - £50 Year 3 - £50 Year 4 - £50 Year 5 - £50
12 month street trading consent for ice cream vendors who move from place to place	£50	Year 2 - £50 Year 3 - £50 Year 4 - £50 Year 5 - £50
Transfer of an existing street trading consent	£50	-